

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

DONALD RICHARDSON, et al.,

Plaintiffs,

v.

BOARD OF EDUCATION OF HUBER
HEIGHTS CITY SCHOOLS, et al.,

Defendants.

Case No. 3:12-cv-342

Judge Thomas M. Rose

**ENTRY AND ORDER DENYING WITHOUT PREJUDICE PLAINTIFF'S
MOTION IN LIMINE REGARDING CAUSATION (ECF No. 137)**

This case is before the Court on Plaintiff's Motion In Limine Regarding Causation (ECF No. 137), by which Plaintiff sought an order "prohibiting Defendants from introducing any evidence or argument regarding 'possible causes' of Plaintiff's injuries and damages." (ECF No. 137, PAGEID 1419.) In response, Defendants argued, in part, that the Motion In Limine should be denied as premature because the physicians whose testimony is at issue have not been afforded an opportunity to establish the foundation for their opinions. (ECF No. 170 at 12-13.) In reply, while noting that certain issues remain in dispute, Plaintiff conceded that the Motion In Limine is premature and the Court "should await the questioning of the treatment providers [at trial] and rule on the pertinent objections at that time." (ECF No. 180 at 3.) Accordingly, the Court hereby DENIES, without prejudice, Plaintiff's Motion In Limine Regarding Causation (ECF No. 137).

DONE and ORDERED in Dayton, Ohio, this Tuesday, August 11, 2015.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE